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January 22, 2004

VIA ELECTRONIC SUBMISSION

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S. W.
Street Lobby – TW A235
Washington, D.C. 20554

Dear Ms. Dortch:

RE: *CEI Plan Amendments; CC Docket No. 95-20*

In compliance with Commission's ruling in the *Computer III Further Remand Proceeding*,¹ this letter is to inform you that SBC has posted the following amended CEI plan on its website:

- Amendment to Comparably Efficient Interconnection Plan for Voice-Mail Services for SBC Communication Inc.'s Operating Companies

A copy of the amendment is attached and it may also be reached via the following Internet address: www.sbc.com/public_affairs

Please stamp and return the provided copy to confirm your receipt. Please contact me at (202) 326-8889 should you have any questions.

Sincerely,

/s/ Jay Bennett

CC: Mr. William Maher,
Chief - Wireline Competition Bureau (with attachment)

¹ *Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; etc.*, 14 FCC Rcd 4289, 4302-03 para. 20 (1999)

**AMENDMENT TO
COMPARABLY EFFICIENT INTERCONNECTION PLAN
FOR VOICE-MAIL SERVICES
FOR SBC COMMUNICATIONS INC.'S OPERATING COMPANIES**

The following is an Amendment to the Comparably Efficient Interconnection (CEI) Plans for the Voice-Mail Services provided by the Ameritech Operating Companies,¹ Nevada Bell Telephone Company, Pacific Bell Telephone Company, and Southwestern Bell Telephone, L.P. (collectively "SBC").

I. INTRODUCTION

SBC's affiliated voice-messaging service provider has been and continues to provide voice-mail services. This is an amendment to the existing CEI plans for voice-messaging services to add abbreviated dialing, a basic complementary network service (CNS). Specifically, this amendment addresses the "Star Code Access to Voice Mail service" (Star Code Access Service).

II. SERVICE DESCRIPTION

Star Code Access Service is a feature enhancement to SBC's voice-mail product line. The feature gives voice-mail customers the ability to retrieve their messages by simply entering the abbreviated dialing code *98 when dialing from their home or office, wherever available. Customers no longer have to dial a ten-digit number each time they want to access their voice mailbox. They can use this "speed-dial" version when calling from the line associated with their voice mailbox.

To use Star Code Access Service, voice-mail customers dial *98, prompting the Vertical Service Code Trigger will launch a query to the ISCP/SCP. The CallingPartyID is part of the query message sent to the ISCP/SCP. Upon receiving this information, the service control point

¹ Illinois Bell Telephone Company, Indiana Bell Telephone Company, Michigan Bell Telephone Company, The Ohio Bell Telephone Company, and Wisconsin Bell, Inc.

(SCP) accesses a table where the voice-mail platform numbers reside and returns the appropriate ten-digit number to the service switching point (SSP) (calling part end office) for call completion to the voice-mail platform where their voice mail box resides. Customers who reside in areas where per line blocking is prevalent need to dial *82 to disable the per-line blocking on their line and then dial *98 to access their voice mail box to retrieve their messages.

SBC creates Star Code Access Service by means of the use of the Advanced Intelligent Network (AIN). The Star Code Access Service uses the 0.1 AIN functionality and the vertical service code trigger. The vertical service code service logic performs call processing for all vertical service codes required by present and future AIN Services. The customers, when calling from the line on which the mailbox exists, use the feature by picking up the telephone handset and dialing *98 wherever this code is available within the current AIN structure. This action then “speed-dials” the customer’s mailbox access number. The AIN vertical service code trigger functionality is invoked and the AIN SCP/ISCP is queried to obtain the appropriate voice mail platform that the customer must access in order to retrieve his or her messages.

The service is designed to work with all integrated POTS voice mail residential and business products, including SBC unified communications and wireless/wireline mailbox products (Call-In-One and Universal CallNotes and CallNotes Plus). Star Code Access Service requires Call Forwarding Busy Line/Don’t Answer (CFBL/DA) and Touchtone Service. The service is available with Primary Rate ISDN only if the lines are not built as part of a Plexar common block, but is not available with ISDN BRI. Star Code Access Service is not offered on Centrex/Plexar, PBX, payphone exchange service, and other non-POTS classes of service (e.g., COIN lines, Inmate lines, or hotel-motel classes of service). The service is also not available with Telebranch, Preferred Number Service, Outgoing Call Control or Multi-Line Hunt Groups. Star Code Access Service is provided subject to the availability of Central Office capacity and facilities.

Customers of unaffiliated voice-mail providers can also use the Star Code Access Service to access their voice mailboxes. The feature is not available to Centrex and “stand-alone” voice-mail customers or to customers who only have Call Forward Variable instead of Call Forward Busy Line or Call Forward Don’t Answer.

III. CEI COMPLIANCE ISSUES

A. CEI Parameters

The Commission’s nine CEI parameters are designed to ensure that the basic services used by a Bell operating company’s (BOC) information service are equally available to other information service providers (ISPs).² SBC demonstrates its compliance with each such parameter below.

1. Interface Functionality

As part of its CEI offering, a BOC must generally provide standardized hardware and software interfaces that support transmission, switching, and signaling functions equal to those utilized in its own information service offering, with information and technical specifications for such interfaces subject to the Commission’s network information disclosure requirements.³ Because the Star Code Access Service is a CNS, it has no impact on any service interface.

2. Unbundling of Basic Services

To satisfy the CEI requirements, the basic services and basic service functions that underlie the carrier’s information service offering must be unbundled from other basic service offerings and associated with a specific rate element in the CEI tariff.⁴ The Star Code Access Service will be provided under tariff in each of the SBC states. The filing and effective dates of these tariffs will be staggered on a company-by-company basis as the Star Code Access Service

² Before the Telecommunications Act of 1996, ISPs were referred to as enhanced service providers. SBC will use the newer term throughout this CEI Plan.

³ *Phase I Order*, ¶ 157.

⁴ *Id.*, ¶ 158.

is provisioned sequentially through the entire SBC region. The Star Code Access Service has already been provided in the Ameritech states and an amendment to the Ameritech CEI Plan for “Voce Mail Messaging Service” was filed on March 10, 1998. References to the tariffs for the Star Code Access Service in the other SBC states will be listed below as they take effect. The feature will be available both individually and as part of a package of CNSs normally used with voice mail.

3. Resale

The *Phase I Order* requires a BOC’s information service operations to take the basic services used in its information service offerings at their unbundled tariffed rates as a means of preventing improper cost-shifting to regulated operations and anti-competitive pricing in non-regulated markets.⁵ As detailed in existing voice-mail CEI Plans, SBC’s affiliated voice messaging operation will continue in all cases to procure the underlying basic services, including Star Code Access Service, at the same tariffed rates and on the same terms and conditions available to unaffiliated service providers,

4. Technical Characteristics

The Star Code Access Service features that SBC’s affiliated voice-messaging service provider will use is identical to the Star Code Access Service features available to unaffiliated service providers.

5. Installation, Maintenance, and Repair

The time periods for installation, maintenance, and repair of the basic services and facilities included in the CEI offering must be the same as those the carrier provides to its own information service operations.⁶ SBC prevents discrimination against any given customer or

⁵ *Phase I Order*, ¶ 159.

⁶ *See Amendment of Sections 64.702 of the Commission’s Rules and Regulations (Third Computer Inquiry); and Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations thereof, Communications Protocols under Section 64.702 of the Commission’s Rules and Regulations, Memorandum Opinion and Order on Reconsideration*, 3 FCC Red. 1150, 1160, ¶ 161 (1988) (*Phase II Reconsideration Order*).

type of customer by employing internal methods that are sufficiently mechanized for installing, maintaining, and repairing all of its basic services. SBC's methods all are either random in nature or involve mechanized prioritization techniques. As a result of initiating the Star Code Access Service, there have been no changes to those practices or procedures.

6. End User Access

If a carrier offers end users the ability to use abbreviated dialing or signaling to activate or access the carrier's information offerings, it must provide, as part of its CEI offering, the same capabilities to end users of all information services that utilize the carrier's facilities. The new Star Code Access Service, which is an abbreviated dialing service, is identical whether used by an affiliated or unaffiliated service provider.

7. CEI Availability

A carrier's CEI offering must be fully operational and available on the date that it offers its corresponding information service to the public. In addition, the carrier must provide a reasonable time during which prospective users of CEI, such as information service competitors, can utilize the CEI facilities and services for purpose of testing their information service offerings.⁷ As stated above, the Star Code Access Service will be introduced sequentially throughout the SBC region on a company-by-company basis with individual state tariffs taking effect on different dates. SBC's underlying basic services, including Star Code Access Service, are available to its own affiliated ISPs and to non-affiliated ISPs at the same time in any given geographical service area.

8. Minimization of Transport Costs

In the *Phase I Order*, the Commission recognized that carriers may reduce or eliminate certain equipment and transmission costs by collocating or integrating information service facilities with their basic network facilities. Although the Commission did not impose

⁷ *Id.*, ¶ 163; see also *Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; 1998 Biennial Regulatory Review – Review of Computer III and ONA Safeguards and Requirements, Report and Order*, 14 FCC Rcd 4289 ¶¶ 20-21 (1999) (*1998 Biennial Review Order*).

mandatory collocation requirements on carriers subject to CEI, it did require such carriers to provide others with interconnection facilities that minimize such transmission costs. The Commission required that carriers demonstrate in their CEI plans what steps they would take to reduce transmission costs for competitors.⁸

The Commission clarified in the *Reconsideration Order* that while the requirement that transmission costs be minimized focuses on technological methods rather than pricing, it does not require a CEI offering that is substantially identical to existing services to be priced lower than those services simply for CEI purposes. Instead, the Commission encouraged the use of existing basic services in CEI in order to expedite initial CEI development.⁹ In the *Phase I Reconsideration Order*, the Commission clarified that a carrier may satisfy this CEI requirement if it charges itself an access link rate that is the same as that paid by non-collocated ISPs, provided that the access connections in each case are equivalent in technical quality.¹⁰

Because the new Star Code Access Service is a CNS, it does not change any of the interconnection arrangements specified in the individual SBC Voice-Messaging CEI Plans.

9. Recipients of CEI

In the *Phase I Order*, the Commission stated that carriers should not restrict the availability of CEI to any particular class of customer or information service competitor.¹¹ In the *Phase I Reconsideration Order*, the Commission clarified that customer use or user restrictions for state-tariffed basic services were permissible, but required carriers to provide an explanation of, and justification for, any such state-tariffed restrictions in their CEI plans.¹² SBC's offering

⁸ *Id.*, ¶ 164.

⁹ *Amendment of Sections 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry); and Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations thereof, Communications Protocols under Section 64.702 of the Commission's Rules and Regulations, Memorandum Opinion and Order on Reconsideration*, 2 FCC Rcd 3035 n. 261 (1987) (*Phase I Reconsideration Order*).

¹⁰ *Phase II Reconsideration Order*, ¶ 34.

¹¹ *Phase I Order*, ¶ 165.

¹² *Phase I Reconsideration Order*, ¶ 111, *aff'd.*, *Phase I Further Recon Order*, ¶¶ 63-77.

of the Star Code Access Service is generally available via tariff not only to voice-mail service providers, but also to any service provider whose customers use non-Centrex, Call Forward Busy Line or Call Forward Don't Answer.

B. Other Nonstructural Safeguards

1. Allocation of Joint and Common Costs

In the *Joint Cost Order*,¹³ the Commission adopted rules for the allocation of costs between regulated and non-regulated services provided by carriers subject to its jurisdiction. In the *Phase II Order*, the Commission required as part of its CEI requirements that the BOCs comply with those rules.¹⁴ SBC's cost allocation procedures for the new Star Code Access Service is consistent with the Cost Allocation Manual (CAM) that is submitted to the Commission pursuant to the *Joint Cost Order*.¹⁵

2. Customer Proprietary Network Information (CPNI)

In the *Phase II Order*, the Commission adopted CPNI requirements for the information service operations of the BOCs that require them to: (1) make CPNI available, upon customer request, to unaffiliated information service vendors on the same terms and conditions that are available to their own information services personnel; (2) limit their information service personnel from accessing a customer's CPNI, if the customer so requests; and (3) notify multi-line business customers annually of their CPNI rights. The Commission also required the BOCs to provide to unaffiliated information service vendors the same type of nonproprietary, aggregate

¹³ *Separation of costs of regulated telephone service from costs of non-regulated activities, Amendment of Part 31, the Uniform System of Accounts for Class A and Class B Telephone Companies to Provide for Non-regulated Activities and to Provide for Transactions between Telephone Companies and their Affiliates, Report and Order*, 2 FCC Rcd 1298 (1987) (*Joint Cost Order*), partially modified on reconsideration, *Order on Reconsideration*, 2 FCC Rcd 6283 (1987) (*Joint Cost Recon Order*).

¹⁴ *Amendment of Sections 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry); and Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations thereof, Communications Protocols under Section 64.702 of the Commission's Rules and Regulations, Report and Order*, 2 FCC Rcd 3072 ¶ 72 (1987) (*Phase II Order*).

¹⁵ The SBC operating companies submit revised CAMs to the Commission annually. SBC is aware of and will abide by the Commission rules governing affiliate transactions.

CPNI that the BOCs provide to their own information service personnel. This information must be provided to unaffiliated vendors on the same terms and conditions that are available to the BOC's own information service operations.

In the Telecommunications Act of 1996, Congress enacted a statutory CPNI provision.¹⁶ The Commission later determined that the competitive and privacy concerns upon which the *Computer III* CPNI framework rests were fully addressed by the Commission's new CPNI rules promulgated under section 222 of the Act, and that, continued retention of the Commission's *Computer III* CPNI framework would produce no additional benefit.¹⁷ The Commission further ruled that, insofar as it eliminated the *Computer III* CPNI requirements, carriers' ONA and CEI plans would no longer have to address CPNI.¹⁸ In the *U.S. West, Inc. v. FCC* case, however, the Tenth Circuit Court of Appeals vacated the *CPNI Order*.¹⁹ In July 2002, the Commission resolved many of the outstanding CPNI issues, as well as sought comment on others.²⁰

SBC abides by the Commission's rules and requirements regarding the use of CPNI in all aspects.

3. Nondiscrimination Reporting

SBC continues to abide by the Commission's existing nondiscrimination reporting rules, which require BOCs to file quarterly installation and maintenance and nondiscrimination reports.²¹

¹⁶ 47 U.S.C. § 222.

¹⁷ *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information; Implementation of the Non-accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as Amended, Second Report and Order and Further Notice of Proposed Rulemaking*, 13 FCC Rcd 8061 (1998) (CPNI Order).

¹⁸ *Id.*

¹⁹ 182 F.3d 1224 (10th Cir. 1999), *cert. denied sub. nom* Competition Policy Institute v. U.S. West, Inc., 530 U.S. 1213, 120 S.Ct. 2215, 147 L.Ed.2d 248 (2000).

²⁰ *Implementation of the Telecommunications Act of 1996; etc.*, CC Docket Nos. 96-115, 96-149, and 00-257, *Third Report and Order and Third Further Notice of Proposed Rulemaking*, 17 FCC Rcd 14860 (2002).

²¹ *CC Docket No. 88-2, Phase I, Filing and Review of Open Network Architecture Plans, Memorandum Opinion and Order*, 5 FCC Rcd 3103 (1990), and, *Memorandum Opinion and Order on Reconsideration*, 5 FCC Rcd 3084 (1990).

4. Network Information Disclosure

The *Phase II Order* required the BOCs to disclose information about network changes or new network services that affect the interconnection of information services with the network at two points in time.²² In 1999, the Commission promulgated the rules implementing the section 251(c)(5) of the Telecommunications Act of 1996 network disclosure requirements in the *Local Competition Second Report and Order*.²³ The section 251(c)(5) network disclosure requirements apply to all incumbent LECs, as the term is defined in section 251(h) of the Act.²⁴ Under the Commission's regulations, incumbent LECs are required to disclose, at a minimum, "complete information about network design, technical standards and planned changes to the network."²⁵ The requirements are triggered when an incumbent LEC makes a decision to implement a network change that affects "competing service providers' performance or ability to provide service; or otherwise affects the ability of the incumbent LEC's and a competing service provider's facilities or network to connect, to exchange information, or to use the information exchanged."²⁶ The timing requirements for public notice under section 251(c)(5) were adopted, with modifications, from the timing requirements for public notice under the *Computer III* regime.²⁷ Incumbent LECs must disclose planned network changes at the make/buy point,²⁸ but at least twelve months before implementation of the change.²⁹ If the planned changes can be implemented within six months of the make/buy point, then the public notice may be provided

²² *Phase II Order*, ¶¶ 107-112.

²³ *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Second Report and Order and Memorandum Opinion and Order*, 11 FCC Rcd 19392, 19468-19508, ¶¶ 165-260 (Part IV) (1996) (*Local Competition Second Report and Order*).

²⁴ See 47 U.S.C. § 251(h).

²⁵ *Local Competition Second Report and Order*, ¶ 188.

²⁶ *Id.*, ¶ 182; see also 47 C.F.R. § 51.325.

²⁷ 47 C.F.R. § 51.331; *Local Competition Second Report and Order*, ¶ 216.

²⁸ See *Local Competition Second Report and Order*, ¶ 216 n.486.

²⁹ 47 C.F.R. § 51.331(a); *Local Competition Second Report and Order*, ¶¶ 214-215.

less than six months before implementation, so long as additional requirements set forth in section 51.333 of the Commission's rules are met. An incumbent LEC may fulfill its network disclosure obligations by filing a public notice with the Commission, or by providing public notice through industry fora or publications, or on the incumbent LEC's own publicly accessible Internet sites.³⁰ As a result the Commission concluded that the section 251(c)(5) rules have rendered the *Computer III* network disclosure rules redundant.³¹

There has been no change to existing network interface specifications as a result of the Star Code Access Service, and, therefore, no publication of any new interfaces is required. In the future, should interface specifications change, SBC will comply with the advance notice requirements described above.

5. Tariffs

The tariffs for the underlying basic services can be found at:

STATE	TARIFF	HYPERLINK
Arkansas	General Exchange Tariff, Section 19, Sheet 114	[FILL IN]
California	CAL. PUC No. A5.10 Enhanced Service Provider Retail Tariff Category 1	[FILL IN]
Illinois	Tariff 19, Part 7, Section 3, Sheet 7	http://www.sbc.com/Large-Files/RIMS/Illinois/Tariff_No._19/il190703.pdf
Indiana	Catalog, Part 7, Section 3, Sheet 6	http://www.sbc.com/Large-Files/RIMS/Indiana/Catalog/inct0703.pdf

³⁰ If an incumbent LEC chooses either of the latter two methods, it must also file a certification with the Commission that such public notice was given. 47 C.F.R. § 51.329(a)(2); *Local Competition Second Report and Order*, 11 FCC Rcd at 19483, ¶ 198.

³¹ 1998 Biennial Review Order, ¶ 45.

STATE	TARIFF	HYPERLINK
Kansas	General Exchange Tariff, Section 16, Sheet 70	http://findit.sbc.com:7086/data/sbc_tariffs/Kansas/Filing_Log/04-01-14-ks-03-794.pdf#xml=http://findit.sbc.com:7086/vs.vts?action=View&KeyCollName=Coll%5FSBC%5FTARIFFS&VdkVgwKey=data%2Fsbcsbc%5Ftariffs%2FKansas%2FFiling%5FLog%2F04%2D01%2D14%2Dks%2D03%2D794%2Epdf&doctype=xml&Collection=Coll%5FSBC%5FTARIFFS&QueryZip=star+code+access
Michigan	Catalog, Part 7, Section 3, Sheet 5	http://www.sbc.com/Large-Files/RIMS/Michigan/20U/mict2207.pdf
Missouri	General Exchange Tariff, Section 13, Sheet 135	http://findit.sbc.com:7086/data/sbc_tariffs/Missouri/Filing_Log/03-12-22-mo-03-795.pdf#xml=http://findit.sbc.com:7086/vs.vts?action=View&KeyCollName=Coll%5FSBC%5FTARIFFS&VdkVgwKey=data%2Fsbcsbc%5Ftariffs%2FMissouri%2FFiling%5FLog%2F03%2D12%2D22%2Dmo%2D03%2D795%2Epdf&doctype=xml&Collection=Coll%5FSBC%5FTARIFFS&QueryZip=star
Nevada	Enhances Service Provider Tariff A5.10 Basic Service	[FILL IN]
Ohio	Tariff 20, Part 7, Section 3, Sheet 11	http://www.sbc.com/Large-Files/RIMS/Ohio/Tariff_No._20/oh200703.pdf
Oklahoma	General Exchange Tariff, Misc. Service Offerings, Sheet 28	http://findit.sbc.com:7086/data/sbc_tariffs/Oklahoma/Filing_Log/04-01-05-ok-03-796.pdf#xml=http://findit.sbc.com:7086/vs.vts?action=View&KeyCollName=Coll%5FSBC%5FTARIFFS&VdkVgwKey=data%2Fsbcsbc%5Ftariffs%2FOklahoma%2FFiling%5FLog%2F04%2D01%2D05%2Dok%2D03%2D796%2Epdf&doctype=xml&Collection=Coll%5FSBC%5FTARIFFS&QueryZip=star+code
Texas	General Exchange Tariff, Section 10, Sheet 70	http://findit.sbc.com:7086/data/sbc_tariffs/Texas/Filing_Log/04-01-09-tx-03-797.pdf#xml=http://findit.sbc.com:7086/vs.vts?action=View&KeyCollName=Coll%5FSBC%5FTARIFFS&VdkVgwKey=data%2Fsbcsbc%5Ftariffs%2FTexas%2FFiling%5FLog%2F04%2D01%2D09%2Dtx%2D03%2D797%2Epdf&doctype=xml&Collection=Coll%5FSBC%5FTARIFFS&QueryZip=star+code
Wisconsin	Tariff 20, Part 7, Section 3, Sheet 12	http://www.sbc.com/Large-Files/RIMS/Wisconsin/Tariff_No._20/wi200703.pdf

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